

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ERIC R. BAHE, Custodian, CGM Roth
Conversion IRA,

Plaintiff,

VS.

Civil Action No. 04-11195-MLW

FRANKLIN/TEMPLETON
DISTRIBUTORS, INC., FRANK T.
CROHN, BURTON J. GREENWALD,
CHARLES RUBENS II, LEONARD
RUBIN, and WILLIAM J. LIPPMAN,

Defendants, and

FRANKLIN BALANCE SHEET
INVESTMENT FUND,

Nominal Defendant.

**ASSENTED TO MOTION FOR LEAVE TO FILE MEMORANDUM IN
EXCESS OF 20 PAGES IN OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS**

Now comes the Plaintiff Eric R. Bahe, and he respectfully moves, pursuant to Local Rule 7.1(B)(4), for leave to file a memorandum in opposition to defendants' motions to dismiss in excess of 20 pages. The Plaintiff says in support thereof that the Defendants filed two motions to dismiss and two memoranda of law in support thereof. The Plaintiff's memorandum responds to and opposes both motions, and the Plaintiff needs the additional pages to adequately do so.

The Plaintiff has been advised by counsel for all of the Defendants that they assent to the allowance of this motion.

Dated: October 4, 2004

Respectfully submitted by the attorneys for the Plaintiff,

/s/ Edward F. Haber
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